

**IN THE UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

United States Courts
Southern District of Texas
FILED

SEP 29 2004

Michael N. Milby, Clerk

DAVID FOWLER
Plaintiff,

V.

**BROWN WATER MARINE SERVICE,
INC. AND BROWN WATER TOWING I**
Defendants.

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**CIVIL ACTION NO. H 04 0043
ADMIRALTY**

**JOINT NOTICE OF SETTLEMENT AND
MOTION TO DISMISS WITH PREJUDICE**

TO THE HONORABLE JUDGE OF THIS COURT:

COMES NOW the Plaintiff, David Fowler, and the Defendants, Brown Water Marine Service, Inc. and Brown Water Towing I, pursuant to FED. R. CIV. P. 41(a)(1)(ii) showing as follows:

The Plaintiff and the Defendants have reached a settlement wherein they have agreed, subject to the Court's approval, to the dismissal with prejudice of all the Plaintiff's claims in the captioned matter. No other party has entered an appearance in this matter. The parties have agreed to bear their own court costs.

WHEREFORE, PREMISES CONSIDERED, the Plaintiff and the Defendants respectfully request the Court grant their Joint Motion to Dismiss with Prejudice the claims by the Plaintiff asserted against the Defendants in the above styled and numbered cause. In addition, the Plaintiff and the Defendants request all other relief to which they may be entitled at law, in equity, or in admiralty.

Respectfully submitted,



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